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# United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
 AND TRANSPORTATION

WASHINGTON, DC 20510-6125

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June 2, 2000

FAA-W-748-28

OFFICE OF THE  
 CHIEF COUNSEL  
 2000 JUN -6 A 10:19  
 KOLTS DOCKET

The Honorable Jane Garvey  
 Administrator  
 Federal Aviation Administration  
 800 Independence Avenue, S.W.  
 Washington, D.C. 20591

Dear Administrator Garvey:

We noted **with** interest this past March a notice in the Federal Register of the FAA's intent to **establish** fees for overflights by aircraft that neither land nor take off in the United States.


When Congress passed the Federal Aviation Reauthorization Act of 1996, we expected that the FAA would move swiftly. That is why the reauthorization act required your agency to establish these fees by utilizing an Interim Final Rule (IFR) process. It is clear that the IFR legal requirement is still in place. There was no sunset on the original provision, and Congress has not acted since then to modify or **overturn** the requirement.

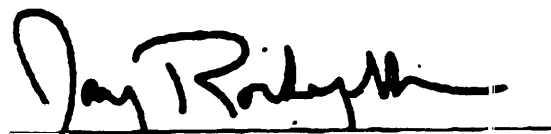
We look forward to your announcement of these fees in the near future. We trust that **whatever decision or** course of action you may take with respect to the overflight fees will be in the best interests of the country. We seek no preferential treatment for anyone involved in this matter, **and** request only that all interested parties be treated appropriately, fairly, and in a timely manner.

Sincerely,

  
 John McCain  
 Chairman

  
 Ernest F. Hollings  
 Ranking Minority Member

  
 Slade Gorton  
 Chairman  
 Subcommittee on Aviation

  
 John D. Rockefeller IV  
 Ranking Minority Member  
 Subcommittee on Aviation